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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/071,046	05/04/1998	JURGEN REINOLD	MCG00215	5093

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EXAMINER

BUI, KIEU OANH T

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 06/04/2002

Final

ACT. DUE: *AmEND*

DATE DUE: *04-10-2002*

Please find below and/or attached an Office communication concerning this application or proceeding.

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96/17

Office Action Summary

Application No.

09/071,046

Applicant(s)

REINOLD ET AL.

Examiner

KIEU-OANH T BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 the form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 3, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kotreski et al. (U.S. Patent No.5,729,549/ Kotreski hereinafter)

Regarding claims 3 and 11, Kostreski inherently discloses "an audio analog decryption unit connected to the audio digital-to-analog converter and decrypting the analog audio signal" and "a video analog decryption unit connected to the video digital to analog converter and decrypting the analog video signal"; as Kostreski discloses the decryption unit combined in a single module, not separately into two units as claimed, for example, a digital decryption unit and an analog decryption unit. However, a same result is obtained by decrypting signals from digital forms to analog forms for video and audio signals as taught by Kostreski (col. 23/line 53-col. 24/line 5).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 4-6, 9-10, 12-14, 16-19, and 21-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kostreski et al (U.S. Patent No. 5,729,549) in view of Schein et al (U.S. Patent No. 6002,394/ or "Schein" hereinafter) and Ozkan et al (U.S. Patent No. 5,946,045/ or "Ozkan" hereinafter).

Regarding claim 1, Kostreski discloses a system for distributing audio content of a digital audio signal to an analog wireline device, i.e., digital video sources can be broadcasted to users in audio/video signals for standard (conventional or analog) output device 75 (Fig. 4 and col. 8/lines 10-30), comprising: an audio input interface receiving the digital audio signal and identifying a audio bitstream, i.e., the demultiplexer circuitry 127 recognizes the audio input stream via the transport interface module and identifying that bit stream (Fig. 8 and col. 21/lines 21-26); an audio decoding unit connected to the audio input interface and decoding the audio bitstream, i.e., an audio decoder (Fig. 8/item 131 and col. 21/lines 21-26); and an audio digital-to-analog converter connected to the audio decoding unit and converting the audio bitstream to an analog audio signal (DAC 135L & 135R, mistakenly label 134L & 134R in Fig. 8, and col. 22/lines 19-35); and an audio output interface connected to the audio digital-to-analog converter and distributing the analog audio signal to the analog wireline device, i.e., either audio analog left and right outputs or RF modulator are used to distribute analog audio signals to analog wireline device, e.g, to a standard or conventional television set, by a pair of stereo cable or a coaxial cable, respectively (Fig. 8, and col. 22/lines 19-59).

Kostreski does not clearly show that the digital audio signal is received “from a plurality of sources” as amended; however, Schein discloses a system for distributing audio content of a digital audio signal to an analog wireline device, i.e., either digital or analog audio sources can be broadcasted to users in audio/video signals for either a conventional/analog wireline device such as a standard television set or a computer (Schein, Fig. 1, and col. 6/lines 25-65), Schein teaches that the digital audio/video signals are received from a plurality of sources such as from satellite source, antenna source and from cable source (Schein, Fig. 2, items 60, 62 & 64; and col. 6/lines 37-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kostreski’s system with Schein’s teaching technique of including a plurality of sources in order to obtain an enhanced system that can flexibility retrieve and download a variety of programs and services from a plurality of sources even from the Internet as suggested by Schein (col. 5/line 15 to col. 6/line 10).

Kostreski and Schein do not clearly further disclose the step of “wherein the audio bit stream comprises audio data based on a plurality of encoding methods corresponding to a plurality of sources”; however, in the same environment of receiving and broadcasting video signals to a plurality of viewers in the field of digital signal processing, Ozkan obviously discloses a technique and an apparatus for receiving and transmitting signals of variable coding formats according to different standards either MPEG-compatible or non-MPEG compatible (see Ozkan, col. 1/lines 35-67; col. 2/lines 9-40; and further in details in col. 3/lines 20-52), for instance, Ozkan introduces the use of different decoding techniques or methods of formats such as input signal coding type including differential and non-differential codes, trellis or non-trellis codes, and input signal modulation format 64 or 256 element symbol constellations (col. 4/lines 6-24) and further details in Figs. 1 & 5 for the principle of the apparatus for demodulating and decoding signals of variable broadcast encoding format and its flow chart for the mentioned process (col. 4/line 25 to col. 5/line 53 & col. 10/line 47 to col. 11/line 31). Therefore, it would

have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schein's technique with the use of different encoding techniques as disclosed by Ozkan in order to obtain an enhanced system that offers the convenience in handling different formats from a plurality of sources by using a plurality of encoding methods at the video/audio interface or receiving apparatus as preferred.

As for claims 2 and 10, Kostreski further discloses to include "an audio digital decryption unit connected to the audio input interface and decrypting the audio bitstream" and "a video digital decryption unit connected to the video input interface and decrypting the video bitstream", i.e., decryption circuitry is available for digital audio/video inputs (col. 20/lines 39-67).

With respect to claims 4-5, 12-13 and 18, Kostreski discloses "wherein the audio and video (for claim 12) output interface distributes the analog audio signal to multiple devices", i.e., to multiple subscribers and portable PCS (col. 5/line 60-col. 6/line 7); and "wherein the audio and video (for claim 13) input interface receives the digital audio signal from a network", i.e., within a public wireless packet data network (col. 5/lines 64-67).

Regarding claims 6, 14 and 19, in further view of claim 1 above, Schein further discloses "wherein the audio input interface receives the digital audio signal from a local storage device" and "wherein the video input interface receives the digital video signal from a local storage device", i.e., a technique to utilize a local digital source such as from a CD ROM disk or a hard drive is shown by Schein (Fig. 1, and col. 4/line 40 to col. 5/line 51).

Regarding claim 9, Kostreski discloses a system for distributing video content of a digital video signal to an analog wireline device, i.e., digital video sources can be broadcasted to users in audio/video signals for standard (conventional or analog) output device 75 (Fig. 4 and col. 8/lines 10-30), comprising:

“a video input interface receiving the digital video signal and identifying a video bitstream,” i.e., the demultiplexer circuitry 127 recognizes the video input stream via the transport interface module and identifying that bit stream (Fig. 8 and col. 21/lines 8-32);

“a video decoding unit connected to the video input interface and decoding the video bitstream,” i.e., a video decoder (Fig. 8/item 128 and col. 21/lines 21-26);

“a video digital-to-analog converter connected to the video decoding unit and converting the video bitstream to an analog video signal,” i.e., NTSC encoder (Fig. 8/item 137 and col. 22/lines 36-59); and

“a video output interface connected to the video digital-to-analog converter and distributing the analog video signal to the analog wireline device,” i.e., to Baseband video or RF out via RF modulator depending on the type of television set (Fig. 8 and col. 22/lines 19-59).

Kostreski and Schein do not clearly show that the digital video signal is received “from a plurality of sources” as amended; however, in the same field of interest, Schein discloses a system for distributing video content of a digital video signal to an analog wireline device, i.e., either digital or analog video/audio sources can be broadcasted to users in video/audio signals for either a conventional/analog wireline device such as a standard television set or a computer (Schein, Fig. 1, and col. 6/lines 25-65), Schein teaches that the digital audio/video signals are received from a plurality of sources such as from satellite source, antenna source and from cable source (Schein, Fig. 2, items 60, 62 & 64; and col. 6/lines 37-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kostreski’s system with Schein’s teaching technique of including a plurality of sources in order to obtain an enhanced system that can flexibility retrieve and download a variety of programs and services from a plurality of sources even from the Internet as suggested by Schein (col. 5/line 15 to col. 6/line 10).

Kostreski and Schein do not clearly show the step of “wherein the video bit stream comprises video data based on a plurality of encoding methods corresponding to a plurality of sources” as amended; however, in the same environment of receiving and broadcasting video signals to a plurality of viewers in the field of digital signal processing, Ozkan obviously discloses a technique and an apparatus for receiving and transmitting signals of variable coding formats according to different standards either MPEG-compatible or non-MPEG compatible (see Ozkan, col. 1/lines 35-67; col. 2/lines 9-40; and further in details in col. 3/lines 20-52), for example, Ozkan introduces the use of different decoding techniques or methods of formats such as input signal coding type including differential and non-differential codes, trellis or non-trellis codes, and input signal modulation format 64 or 256 element symbol constellations (col. 4/lines 6-24) and further details in Figs. 1 & 5 for the principle of the apparatus for demodulating and decoding signals of variable broadcast encoding format and its flow chart for the mentioned process (col. 4/line 25 to col. 5/line 53 & col. 10/line 47 to col. 11/line 31). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further clarify Kostreski’s technique with the use of different encoding techniques as disclosed by Ozkan in order to obtain an enhanced system that offers the convenience in handling different formats from a plurality of sources by using a plurality of encoding methods at the video/audio interface or receiving apparatus as preferred.

Regarding claim 16, this claim, which is a combination of claims 1 and 9, is rejected for the reasons given in the scope of claims 1 and 9 as already disclosed above.

As for claim 17, Kostreski discloses to include “a splitter receiving a digital input signal and splitting the digital input signal into the digital audio signal and the digital video signal”, i.e., the system MUX acts as a splitter therein in providing separate digital video and digital audio signals (Fig. 8/item 127).

As for claims 21-30, these method claims for applying the system as described above are rejected for the reasons given in the scope of system claims 1-5, 9-13, and 17 as already disclosed above.

6. Claims 7-8, 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kostreski et al (U.S. Patent No. 5,729,549) in view of Schein et al (U.S. Patent 6,002,394) and Ozkan et al. (U.S. Patent 5,946,045) and further in view of Schulhof et al (U.S. Patent No. 5,841,979).

Regarding claims 7-8, 15 and 20, the combination of Kostreski, Schein and Ozkan do not disclose “wherein the audio input interface receives the digital audio signal produced by a text-to-speech application” and “wherein the audio input interface receives the digital audio signal produced by a digital musical instrument” and “wherein the video input interface receives the digital video signal produced by a digital video camera” as claimed; however, Schulhof teaches in his enhanced delivery of audio data the same technique for users to receive “the digital audio signal produced by a text-to-speech application” (Schulhof, Figs. 1-2, and col. 6/lines 47-65) and “the digital audio signal produced by a digital musical instrument”, i.e., a Sony portable digital recordable mini-CD (Schulhof, col. 2/line 65-col. 3/line 38). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined Kostreski, Schein and Ozkan’s system with Schulhof’s disclosed technique in using a text-to-speech application and the concept of utilizing digital audio signal from digital musical instruments, such as a Sony portable digital recordable mini-CD or a digital camera, as some of available resources on the market for the described system to use as preferred.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

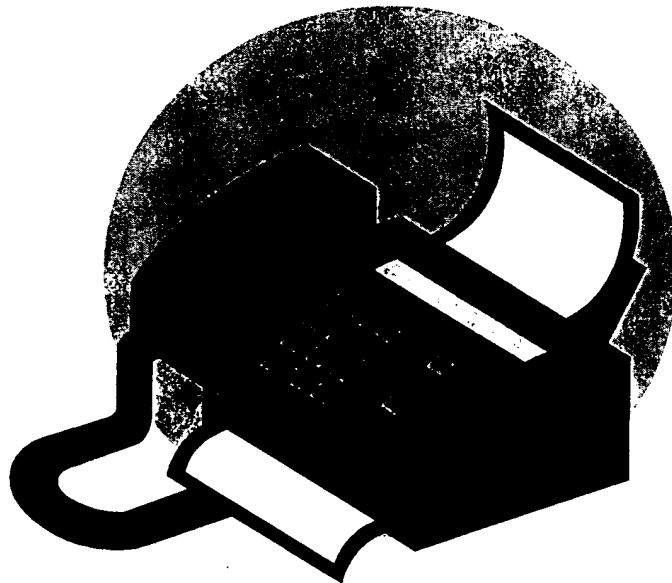
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui
Art Unit 2611
May 31, 2002


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

USPTO Tech-Center 2600

**Customer Service
Operations**



***All questions/concerns regarding this
newsletter are to be directed to Arthur
McCloud, Chief of Tech-Center 2600
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arthur.mccloud@uspto.gov***